

CIVIL PRACTICE SUBCOMMITTEE OF HOUSE JUDICIARY COMMITTEE

AMENDMENT NO. _____

Signature of Sponsor

AMEND Senate Bill No. 2305*

House Bill No. 2907

FILED
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

by deleting all the language following the enacting clause, and by substituting instead the following language:

SECTION 1. Tennessee Code Annotated, Title 36, Chapter 3, Part 1, is amended by adding the following language as a new, appropriately designated section: Section ____.

(a) Tennessee's marriage licensing laws reinforce, carry forward, and make explicit the long-standing public policy of this state to recognize the family, as essential to social and economic order, the common good and as the fundamental building block of our society. To that end it is further the public policy of this state that the historical institution and legal contract solemnizing the relationship of one (1) man and one (1) woman shall be the only legally recognized marital contract in this state in order to provide the unique and exclusive rights and privileges to marriage.

(b) The legal union in matrimony of only one (1) man and one (1) woman shall be the only recognized marriage in this state.

(c) Any policy, law, or judicial interpretation that purports to define marriage as anything other than the historical institution and legal contract between one (1) man and one (1) woman is contrary to the public policy of Tennessee.

(d) If another state or foreign jurisdiction issues a license for persons to marry which marriages are prohibited in this state, any such marriage shall be void and unenforceable in this state.

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SECTION 2. Tennessee Code Annotated, Section 36-3-103(c)(1), is amended by adding the following language at the end of the subdivision:

A county clerk is prohibited from issuing a license for a marriage which is prohibited in this state.

SECTION 3. Tennessee Code Annotated, Section 36-3-111, is amended by adding the language "and the provisions of this act" between the language "36-3-110" and the words "and not".

SECTION 4. Tennessee Code Annotated, Section 36-3-306, is amended by adding the following language at the end of the section:

Provided, however, no marriage shall be valid, whether consummated by ceremony or otherwise, if the marriage is prohibited in this state.

SECTION 5. This act shall take effect upon becoming a law, the public welfare requiring it.